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DATE FILED: 11/4/22

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHRISTOPHER RETZLAFF,

Plaintiff,

22 Civ. 6641 (LLS)

-against-

ORDER FOR CONFERENCE  
PURSUANT TO RULE 16(b)

LONG ISLAND RAILROAD COMPANY,

Defendant.  
-----X

1. **DATE OF CONFERENCE:** November 4, 2022 at 12:00 PM

For Plaintiff: Sean Constable, Esq.  
Flynn & Wietzke, PC  
1205 Franklin Avenue  
Garden City, NY 11530  
(516) 877-1234

For Defendant: William J. Crowe, Esq.  
Chesney Nicholas & Brower, LLP  
485 Underhill Blvd., Suite 308  
Syosset, NY 11791  
(516) 378-1700

2. **CONCISE STATEMENT OF ISSUES:**

A. Whether the defendant, through its agents, servants and employees were negligent in failing to provide plaintiff with a safe place to work.

B. Whether the negligence of the railroad, its agents, servants and employees caused, in whole or in part, no matter how slight, plaintiff's injuries?

C. Was the plaintiff negligent?

D. Did the plaintiff's negligence play any part, no matter how slight, in causing his injuries?

E. If the plaintiff was negligent, what percentage of fault can be attributed to his conduct?

F. What is the monetary damages suffered by the plaintiff?

3a. **PERSONS TO BE DEPOSED & SCHEDULE OF DEPOSITIONS:**

Plaintiff and defendant by a witness to be determined to be completed by 2/15/2023

b. **SCHEDULE FOR PRODUCTION OF DOCUMENTS:**

Auto Disclosure Exchanged: 11/4/2022  
Interrogatories & Request for Documents served: 11/4/2022  
Responses to demands due: 12/21/2022

c. **FACT DISCOVERY ENDS:** 3/15/2023

d. **EXPERT REPORTS EXCHANGED:**

i. By Plaintiff: 3/15/2023  
By Defendant: 4/19/2023

**EXPERT DEPOSITIONS COMPLETED:**

ii. Plaintiff's Expert: 4/26/2023  
Defendant's Expert: 4/26/2023

e. **DISCOVERY IS COMPLETED:**

5/5/2023

f. **JOINT PRE-TRIAL ORDER SUBMISSION:**

Plaintiff's portion by: 5/17/2023

Defendant's portion by: 5/23/2023

g. **TRIAL DOCUMENTS FILED WITH COURT:**

Joint Pre-Trial Order, Trial Brief, Voir Dire, Request to Charge  
to be filed by: 5/26/2023

h. **FINAL PRE-TRIAL CONFERENCE**

12 noon Friday May 12, 2023

4. **LIMITATIONS ON DISCOVERY:**

NONE

5. **DISPUTED DISCOVERY ISSUES:**

NONE

6. **ANTICIPATED FIELDS OF EXPERT TESTIMONY:**

Medical

7. **ANTICIPATED LENGTH OF TRIAL:**

By Plaintiff: 2 Days

LLS

By Defendant: 2 Days

JURY OR NON-JURY TRIAL: Jury

8. Scheduling Order may be altered or amended only on a showing of good cause not foreseeable at the time of the conference or when justice so requires.

Flynn & Wietzke, PC  
Attorneys for Plaintiff  
1205 Franklin Avenue  
Garden City, NY 11530  
(516) 877-1234

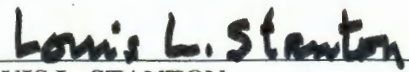


By: \_\_\_\_\_  
Sean Constable

Chesney Nicholas & Brower, LLP  
Attorneys for Defendant  
485 Underhill Blvd., Suite 308  
Syosset, NY 11791  
(516) 378-1700

By:  \_\_\_\_\_  
William J. Crowe

Dated: 11/4/22  
SO ORDERED:

  
\_\_\_\_\_  
LOUIS L. STANTON  
UNITED STATES JUDGE